

**Fitch, Even, Tabin & Flannery***Intellectual Property Law***RECEIVED  
CENTRAL FAX CENTER****APR 18 2006****F A C S I M I L E**

DATE: April 18, 2006

NO. OF PAGES: 22

FROM: John J. Gresens

OUR REFERENCE: 8276.85946

COMPANY: United States Patent And  
Trademark Office

TRANSMITTED BY: Tami

TO: Central Fax

SERIAL NO.: 10/772,964

FAX: 571-273-8300

Re: Supplemental IDS and PTO-1449

Applicant: MATTERN

Serial No. 10/772,964

Filed: February 4, 2004

Group Art Unit: 1646

Examiner: To be Assigned

Certificate of FacsimileDate of Deposit April 18, 2006

I hereby certify that this paper or fee is being sent by facsimile on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Tamara S. Was

The documents accompanying this facsimile transmittal cover sheet contain information from the law firm of Fitch, Even, Tabin & Flannery which may be confidential and/or legally privileged. The documents are intended only for the personal and confidential use of the addressee identified above. If you have received this facsimile in error, please immediately notify the Firm so that we can arrange for the return of the original documents to us. Thank You.

120 South LaSalle Street, Suite 1600  
Chicago, Illinois 60603-3406Telephone (312) 577-7000  
Facsimile (312) 577-7007

NEXT AVAILABLE COPY

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

APR 18 2006

Appln. No.: 10/772,964  
 Applicant: Claudia MATTERN  
 Filed: February 4, 2004  
 Title: Controlled Release Delivery  
 System for Nasal Applications  
 TC/A.U.: 1646  
 Examiner: To be Assigned

---

Docket No.: 8276.85946  
 Customer No.: 22242

Confirmation No. 5308

CERTIFICATE OF FACSIMILE

I hereby certify that this paper is being  
 faxed to: Commissioner of Patents, P.O. Box 1450,  
 Alexandria, VA 22213-1450, on this date.

April 18, 2006

Dated

Tamara S. Was

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Supplemental Information Disclosure Statement

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, applicant and the undersigned attorney wish to bring the following supplemental information to the Examiner's attention in connection with the examination of the above-captioned application.

U.S. Patent Documents

<u>Patent Number</u>	<u>Issue Date</u>	<u>Inventor</u>
US-4,315,925A	February 16, 1982	Hussain et al.
US-4,581,225A	April 8, 1986	Su et al.
US-5,863,554A	January 26, 1999	Illum et al.
US-6,432,440B1	August 13, 2002	Watts et al.

**Foreign Patent Documents**

<u>Country Code and Number</u>	<u>Publication Date</u>	<u>Patentee/Applicant</u>
EP 0349091 A1	01/03/1990	Hermens et al.
EP 1530965 B1	05/18/2005	Mattern


The above document is listed on Supplemental Form PTO/SB/08 which accompanies this Information Disclosure Statement with a copy enclosed.

Pursuant to 37 CFR §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b).

The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this communication or credit any overpayment to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By   
John J. Giesens  
Reg. No. 33,112

Date: April 18, 2006

120 South LaSalle Street  
Suite 1600  
Chicago, Illinois 60603-3406  
Telephone: 312/577-7000

REST AVAILABLE COPY

PTO/SB/08a Substitute for Form 1449A/PTO		Application Number		10/772,964	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Filing Date		February 4, 2004	
		First Named Inventor		Claudia MATTERN	
		Art Unit		1646	
		Examiner Name		To Be Assigned	
Sheet	1	of	1	Attorney Docket	8276.85946

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup>			
		US-4,315,925A	02/16/1982	Hussain et al.	
		US-4,581,225A	04/08/1986	Su et al.	
		US-5,863,554A	01/26/1999	Illum et al.	
		US-6,432,440B1	08/13/2002	Watts et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup>				
		EP 0349091 A1	01/03/1990	Hermens et al.		
		EP 1530985 B1	05/18/2005	Mattern		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial If reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.